

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

Board for Waterworks and Wastewater Works Operators

Regulatory Review Checklist Explanation Sheet-Pre-NOIRA

Item 1:

Chapter 23 of Title 54.1 of the *Code of Virginia* (specifically 54.1-2301 and 54.1-2302) mandates that the Board for Waterworks and Wastewater Works Operators administer and enforce the provisions of the Chapter and that it promulgate regulations and standards for training and licensing of waterworks and wastewater works operators. The objective is to protect the public against incompetent and unqualified persons working as waterworks and wastewater works operators.

The scope of the authority provided to the Board under Chapter 23 of Title 54.1 is a mandate to promulgate regulations which include requirements for:

1. Training and licensing;
2. Operator classifications of training and licensing;
3. Training and licensing requirements based upon the type of facility and the type of waterworks or wastewater works system managed at the facility;
4. Training programs approval;
5. License required for all waterworks and wastewater works operators.

Item 2:

The Board is proposing to amend its existing regulations governing the licensure of waterworks and wastewater works operators to modify the definition section, clarify and modify the entry and experience requirements for licensure, and clarify and modify the procedures and provisions regarding renewal and reinstatement. A staggered license renewal process as well as amendments to achieve consistency with other licensing programs administered by DPOR and to further the efficient and economical performance of important government functions will be considered.

Most importantly, the Board is proposing to implement the EPA Final Guidelines for the Certification and Recertification of the Operators of Community and Nontransient Noncommunity Public Water Systems, which were published in the Federal Register on February 5, 1999. The EPA Guidelines require states to have a waterworks operator certification program, which meets the standards established in the Guidelines, in effect within two years after publication of the guidelines. Failure to comply will result in the loss of 20 percent of the Commonwealth's Drinking Water State Revolving Fund (DWSRF) capitalization grants. The Board proposes to develop appropriate

definitions; entry and experience standards; renewal, continuing professional education and reinstatement standards; and disciplinary standards.

The Board will seek public comment on its regulations in their entirety and consider amendments to any provision which that comments suggests is necessary or appropriate.

Item 3:

One of the main needs for our citizens is safe drinking water. As our natural water sources become more and more polluted, processing water through biological, chemical, and physical treatment is necessary to produce safe drinking water. Safe drinking water is necessary for our survival. Waterworks provide the infrastructure necessary to produce safe drinking water.

Part of these regulations govern the operators of waterworks facilities. In cooperation with the Virginia Department of Health, regulations control waterworks facilities. It is essential for the health, safety, and welfare of its citizens that properly trained, experienced, and licensed waterworks operators operate waterworks facilities.

Another need for our citizens is the proper handling of wastewater. Large amounts and different types of wastewater have become an increasing problem for our society. Wastewater facilities have become complex facilities requiring expertise to operate. Pollution requires strict adherence to environmental regulations. The wastewater operator needs to address all these issues to competently perform his job.

The other part of these regulations govern the operators of wastewater works facilities. In cooperation with the Virginia Department of Environmental Quality, regulations control wastewater works facilities. It is essential for the health, safety, and welfare of its citizens that trained, experienced, and licensed wastewater works operators operate wastewater works facilities.

Item 4:

The Board's objective in requesting approval to publish a Notice of Intended Regulatory Action is to evaluate the burden and intrusion into commerce resulting from its regulations and determine, with the assistance of public comment, whether its existing regulatory scheme is appropriate or requires revision. The specific areas identified under Item 1 above reflect the Board's consideration of alternatives.

The Board will carefully consider each substantive provision in order to identify a less burdensome and intrusive alternative and, will, during the process, rely heavily on the comments provided by the regulated industry and the public.

Item 5: Family Impact Assessment.

No adverse impact on the formation, stability, and autonomy of families has been identified.

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